

***Remarks***

Applicants thank the Examiner for the careful consideration given this application and for the helpful telephone interview of June 19, 2007. Reconsideration of this application is requested in view of the above amendments and the following remarks.

Before providing specific remarks regarding the allowability of the claims, Applicants will now summarize the aforementioned telephone interview of June 19, 2007. During this interview, the Mochizuki reference (U.S. Patent No. 6,320,842) was specifically discussed. In particular, Applicants' undersigned representative maintained that Mochizuki does not show any ranking of filter outputs, whereas the Examiner maintained that, based on the correspondence of reference characters in the claims, Mochizuki could be understood as teaching the ranking. The Examiner discussed how he believes that the claims appeared to combine and/or to confuse elements shown in the drawings of the present application.

Turning now to the allowability of the present claims, the status of the claims will first be presented. In particular, Claims 2-7, 13-17, 20, 21, 24-27, and 30-37 are currently pending in this application, of which Claims 20, 26, 32, and 34 are independent claims. Claims 1, 8-12, 18, 19, 22, 23, 28, and 29 have been canceled without prejudice to pursue their subject matter in subsequent applications. Claims 32-37 have been added. Claims 2-7, 13-17, 20, 21, 24-27, 30, and 31 have been amended.

At pages 2-4, the Office Action rejects Claims 1-7 and 12-19 under 35 U.S.C. § 103(a) as being unpatentable over Mochizuki in view of Nee (U.S. Patent Application Publication No. 2002/0186651). At page 4, the Office Action rejects Claims 20 and 26 under 35 U.S.C. § 102(e) as being anticipated by Mochizuki. At pages 4-6, the Office

Action rejects Claims 23-25 and 29-31 under 35 U.S.C. § 103(a) as being unpatentable over Mochizuki in view of Nee. It is respectfully submitted that the rejections of Claims 1, 12, 18, 19, 22, 23, 28, and 29 are rendered moot in view of their cancellation. The remaining rejections are respectfully traversed for at least the following reasons.

Claims 2-7, 16, and 17 have been amended to now depend from new Claim 32 (new Claim 33 also depends from Claim 32). Claim 32 recites, among other things, “choosing an output data block for each of said M-ary orthogonal keying demodulation operations base on relative amplitudes or energies of results obtained by processing the combined signal using each code of said group of spreading codes used by the respective M-ary orthogonal keying demodulation operation.” It is respectfully submitted that neither of the cited references, Mochizuki and Nee, discloses or suggests such a choosing operation. For example, Mochizuki discloses (e.g., at cols. 10-11) the parallel demodulation of multiple spread-spectrum signals; however, no choosing operation is shown or suggested. For at least this reason, it is respectfully submitted that Claim 32 and its dependent claims, Claims 2-7, 16, 17, and 33, are allowable over the cited references.

Claims 13-15 have been amended to now depend from new Claim 34 (new Claim 35 also depends from Claim 34). Claim 34 recites a “means for choosing” similar to the “choosing” limitation discussed above in connection with Claim 32. Therefore, for at least the same reason, it is respectfully submitted that Claim 34 and its dependent claims, Claims 13-15 and 35, are allowable over the cited references.

Claim 20, as amended, now recites that the plurality of filters are “adapted to a respective plurality of M-ary orthogonal keyed signals” and that more than one of the

resulting filtered signals are associated with each of the M-ary orthogonal keyed signals.

Claim 20 now also recites that the ranking of the filtered signals is performed for the filtered signals associated with each of the M-ary orthogonal keyed signals.

Consequently, Mochizuki cannot possibly anticipate Claim 20, nor do Mochizuki and Nee render obvious the claims that depend from Claim 20. For example, neither reference discloses or suggests ranking the filtered signals associated with each of a plurality of M-ary orthogonal keyed signals according to an amplitude or energy of each associated filtered signal. For at least this reason, it is respectfully submitted that Claim 20 and its dependent claims, Claims 21, 24, 25, 36, and 37, are allowable over the cited references.

Finally, it is noted that Claim 26 has been amended to include recitations similar to those noted in connection with amended Claim 20. Therefore, for at least the same reason, it is respectfully submitted that Claim 26 and its dependent claims, Claims 27, 30, and 31, are allowable over the cited references.

It is respectfully submitted that all of the limitations of new Claims 32-37 are supported, at least, by the claims as originally filed, as well as by other portions of the specification. For example, the limitations relating to choosing are supported, e.g., by the specification at page 10, lines 4-17.

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as may be found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

***Conclusion***

Applicants believe that the above remarks address all of the grounds for rejection and place the application in condition for allowance. Applicants, therefore, respectfully request prompt and favorable consideration of this response and reconsideration of this application.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Respectfully submitted,

/Jeffrey W. Gluck/

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